



Docket No.: H0817.70003US00
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Roberto Angelo Motterlini et al.
Serial No.: 10/567,157
Confirmation No.: 4222
Filed: June 1, 2006
For: THERAPEUTIC DELIVERY OF CARBON MONOXIDE
Examiner: A. A. Lewis
Art Unit: 1614

Certificate of Mailing Under 37 CFR 1.8(a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: November 24, 2009

Signature: Amelia S. Lennon (Amelia S. Lennon)

INFORMATION DISCLOSURE STATEMENT (IDS)

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

An abstract or full translation of the non-English language references is enclosed.

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified PTO/SB/08). The order of presentation of the references should not be construed as an indication of the importance of the references.

The Applicant hereby makes the following additional information of record in the above-identified application.

The above-identified U.S. application is a national stage filing of application Serial No. PCT/GB2004/003365. If the Examiner has not had the benefit of review of the file history of PCT/GB2004/003365, then she is asked to contact the undersigned, who will provide a copy of same.

The Applicant would like to bring to the Examiner's attention the following co-pending applications that may contain subject matter related to this application:

<u>Serial No.</u>	<u>Filing Date</u>	<u>Inventor(s)</u>	<u>Docket No.</u>
12/223,171	07-24-2008	Motterlini et al.	H0817.70005US00
12/308,963	12-30-2008	Motterlini et al.	H0817.70006US00

The Applicant would like to bring to the Examiner's attention the enclosed search report or other communication from corresponding International or Foreign National Applications.

<u>Serial No.</u>	<u>Date of Mailing</u>	<u>Type(s) of Communication</u>
PCT/GB04/003365	November 11, 2005	International Preliminary Report on Patentability

In accordance with 37 CFR 1.98(a)(2)(ii), Applicant has not submitted copies of U.S. patents and U.S. patent applications. Applicant submits herewith copies of foreign patents and non-patent literature in accordance with 37 CFR 1.98(a)(2).

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information

Disclosure Statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency or credit any overpayment in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 23/2825, under Docket No. H0817.70003US00.

Dated: *November 24, 2009*

Respectfully submitted,

By


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